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Attorney for Plaintiff, Evan Ratcliff

6 *In conjunction with Legal Aid Center of Southern Nevada Federal Pro Bono Program*

7
8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10
11 EVAN RATCLIFF,

Case No.: 2:21-cv-01155-CDS-BNW

12 Plaintiff,

13 vs.

**MOTION FOR ORDER GRANTING
PRO BONO COUNSEL'S REQUEST
TO WAIVE PACER FEES**

14 CARLOS CALDARONE,

15 Defendant.
16
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18 COMES NOW, Plaintiff, EVAN RATCLIFF, by and through his counsel of record,
19 JAMES P.C. SILVESTRI, ESQ., of the law firm of PYATT SILVESTRI, hereby respectfully
20 moves this Court for the entry of an Order granting Plaintiff's Pro Bono counsel a waiver of any
21 and all PACER fees, and for his reasons relies upon the following:

22 On September 19, 2022, the Court filed an Order ECF No. 11 granting Plaintiff's
23 application to proceed *in forma pauperis*;

24 On January 3, 2023, the Court filed an Order ECF No. 41 granting Plaintiff's motion for
25 appointment of counsel, and referral to the Pro Bono Program;

26 On February 8, 2023, this Pro Bono matter was assigned by Legal Aid Center of
27 Southern Nevada, and accepted by James P.C. Silvestri, Esq., as counsel for Plaintiff, EVAN
28 RATCLIFF;

1 On February 9, 2023, a Notice of Appearance was filed ECF No. 42 by the undersigned
2 counsel of record for Plaintiff, EVAN RATCLIFF.

3 This Motion is based upon all pleadings and papers filed herein, and any oral arguments
4 that this Court wishes to consider.

5 DATED this 9th day of February, 2023.

6 PYATT SILVESTRI

7 /s/ James P. C. Silvestri

8 JAMES P. C. SILVESTRI, ESQ.

9 Nevada Bar No. 3603

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11 *Attorney for Plaintiff, Evan Ratcliff*

12 **ORDER**

13 IT IS ORDERED that ECF No. 43 is GRANTED. Per Section 1(g) of the Second
14 Amended General Order 2019-07, "Attorneys who have taken on the pro bono
15 representation shall not be charged fees for use of the Court's electronic filing
system (PACER) in the case on which they are serving as pro bono counsel." To
effectuate this order, counsel is advised that he must send it to PACER.

16 IT IS SO ORDERED

DATED: 1:04 pm, February 10, 2023

17 

BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), the amendment to EDCR 7.26 and Administrative Order 14-2, I hereby certify that on the 9th day of February, 2023, I caused a true and correct copy of the foregoing **MOTION FOR ORDER GRANTING PRO BONO COUNSEL'S REQUEST TO WAIVE PACER FEES** to be served electronically, to the following e-service list recipients:

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/s/ Barbara Abbott
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